THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.5476 of 2006

Dt.23.3.2006

Between:

B.Bheem Rao and another … Petitioners

And

The District Collector,

Ranga Reddy District and 2 others.

…Respondents

ORDER:

Petitioners seek to issue writ of mandamus declaring the action of the respondents in seeking to use the land of the petitioners in Pot Nos.5 and 6 in Sy.No.10 of Madhapur Village, Serilingampally Manal, Ranga Reddy District by demolishing the structures for the purpose of road widening without recourse to law as illegal and contrary to the provisions of the Land Acquisition Act.

It is the case of the petitioners that they have jointly purchased Plot nos.5 and 6 to an extent of 425.47 and 449.7 sq.yards respectively in Sy.No.10 of Madhapur village by registered sale deeds dated 22.1.1991 for valuable consideration. It is stated that the respondents are threatening to demolish structures and contemplated to take portion of the land for the purpose of road widening.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The learned Government Pleader, on instructions, submits that no requisition proposals for acquiring the land in respect of Sy.No.10 of Madhapur village has been received so far and the existing road is 80' feet width and as per the master plan of CDA it is proposed to widen the road to 120' feet. There is a proposal to acquire additional land of 20' feet on either side of the road and the markings were made on the walls of the buildings to demarcate the extent of shops and land to be effected for acquisition. It is also submitted that necessary procedure will be followed as required under the Land Acquisition Act before demolishing the structures for road widening.

In view of the aforesaid facts and circumstances of the case, the respondents are directed to follow the procedure as required under the Land Acquisition Act in the absence of any agreement by the parties consenting to give their lands for road widening.

The writ petition is accordingly disposed of. No costs.

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V.ESWARAIAH, J.

23.3.2006

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